

William Rucker

From: William Rucker <rucker@wwrucker.com>
Sent: Wednesday, January 09, 2013 4:28 PM
To: 'Ariagno, Constance'
Cc: 'MForshey@pattonboggs.com'
Subject: TransAmerica Investment Group v. Travis Hamilton, et al

Good afternoon. As you are aware, Judge Rosenthal requires attorneys to confer before seeking the Court's help on discovery issues. As you are also aware, TransAmerica has served (a) Plaintiff's First Set of Interrogatories to Defendant Hamilton Capital Partners, LLC; (b) Plaintiff's First Set of Requests for Production to Defendant Hamilton Capital Partners, LLC; (c) Plaintiff's First Set of Requests for Production to Defendant Travis Hamilton.

Other than objections, there was no attempt to respond to any discovery request. All requests seek relevant information and are in compliance with applicable federal rules. Unless meaningful responses to each of the foregoing are received by the 15th, a motion to compel will be filed also seeking sanctions.

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker

William Rucker

From: William Rucker <rucker@wwrucker.com>
Sent: Monday, January 14, 2013 4:26 PM
To: 'Derek Rollins'
Subject: RE: Transamerica Investment Group, Inc. v. Hamilton

My contact information is below.

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker

From: Derek Rollins [<mailto:DROLLINS@shacklaw.net>]
Sent: Monday, January 14, 2013 4:21 PM
To: rucker@wwrucker.com
Cc: Timothy Zeiger
Subject: Transamerica Investment Group, Inc. v. Hamilton

Bill,

Following up on our phone call today, this is my contact information. I look forward to working with you and appreciate your agreement to give my client two weeks to provide you with information responsive to your discovery requests. You will see, shortly, a motion to withdraw and substitute counsel that will be filed in this case. I will note your non-opposition to such motion and forward an agreed order for your review.

Thank you again,

Derek D. Rollins
Shackelford, Melton & McKinley, LLP
Partner - Litigation
3333 Lee Parkway
Tenth Floor
Dallas, Texas 75219
Telephone: (214) 780-1400
Facsimile: (214) 889-9725

Website: www.shacklaw.net
drollins@shacklaw.net

Please consider the environment before printing this email.

SHACKELFORD, MELTON & MCKINLEY E-MAIL NOTICES:

This transmission may be: (1) subject to the Attorney-Client Privilege, (2) attorney work product, or (3) strictly confidential. If you are not the intended recipient of this message, you may not disclose, print, copy or disseminate this information. If you have received this in error, please reply and notify the sender (only) and delete this message. Unauthorized interception of this e-mail is a violation of federal criminal law.

Unless it specifically so states, this communication does not reflect an intention by the sender or the sender's client or principal to conduct a transaction or make any agreement by electronic means. Unless it specifically so states, nothing contained in this message or in any attachment shall satisfy the requirements for a writing, and nothing contained herein shall constitute a contract or electronic signature under the Electronic Signatures in Global and National Commerce Act, any version of the Uniform Electronic Transactions Act or any other statute governing electronic transactions.

IRS Circular 230 Notice Requirement: This communication is not given in the form of a covered opinion, within the meaning of Circular 230 issued by the United States Secretary of the Treasury. Thus, we are required to inform you that you cannot rely upon any tax advice contained in this communication for the purpose of avoiding United States federal tax penalties. In addition, any tax advice contained in this communication may not be used to promote, market or recommend a transaction to another party.

William Rucker

From: William Rucker <rucker@wwrucker.com>
Sent: Wednesday, January 30, 2013 9:24 AM
To: 'Derek Rollins'
Subject: RE: Transamerica Investment Group, Inc. v. Hamilton

I am fine with your signing my name to the proposed order and I am OK with your supplementation deadline.

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker

From: Derek Rollins [<mailto:DROLLINS@shacklaw.net>]
Sent: Wednesday, January 30, 2013 9:11 AM
To: William Rucker
Subject: RE: Transamerica Investment Group, Inc. v. Hamilton

Bill,

Here is a motion and order that I'd like to file in order to complete Patton Boggs' withdrawal in the case and my firm being substituted as new counsel. I had to get re-admitted to the southern district of Texas. Let me know if you approve my uploading the proposed order with your signature.

Also, I wanted to let you know that I obtained *some* of the file from Patton Boggs last Friday. I have reviewed the discovery materials and agree with your assessment that those responses must be supplemented. I am told there are electronic files that will either be provided to me or made available to me online, but I do not have those yet (and I really don't understand the delay because I'm not as technically proficient as Patton Boggs, I suppose). I feel like the first order of business is to get you the materials that you need. I'm going to need some more time, though, to go through these Patton Boggs files and pull out what is responsive. Assuming I can get access to prior counsel's electronic files, would it be acceptable for me to target next Friday as a deadline to supplement?

Let me know your thoughts when you get a moment.

Regards,

Derek D. Rollins
Shackelford, Melton & McKinley, LLP
Partner - Litigation
3333 Lee Parkway
Tenth Floor
Dallas, Texas 75219
Telephone: (214) 780-1400
Facsimile: (214) 889-9725

Website: www.shacklaw.net
drollins@shacklaw.net

Please consider the environment before printing this email.

SHACKELFORD, MELTON & MCKINLEY E-MAIL NOTICES:

This transmission may be: (1) subject to the Attorney-Client Privilege, (2) attorney work product, or (3) strictly confidential. If you are not the intended recipient of this message, you may not disclose, print, copy or disseminate this information. If you have received this in error, please reply and notify the sender (only) and delete this message. Unauthorized interception of this e-mail is a violation of federal criminal law.

Unless it specifically so states, this communication does not reflect an intention by the sender or the sender's client or principal to conduct a transaction or make any agreement by electronic means. Unless it specifically so states, nothing contained in this message or in any attachment shall satisfy the requirements for a writing, and nothing contained herein shall constitute a contract or electronic signature under the Electronic Signatures in Global and National Commerce Act, any version of the Uniform Electronic Transactions Act or any other statute governing electronic transactions.

IRS Circular 230 Notice Requirement: This communication is not given in the form of a covered opinion, within the meaning of Circular 230 issued by the United States Secretary of the Treasury. Thus, we are required to inform you that you cannot rely upon any tax advice contained in this communication for the purpose of avoiding United States federal tax penalties. In addition, any tax advice contained in this communication may not be used to promote, market or recommend a transaction to another party.

From: William Rucker [<mailto:rucker@wwrucker.com>]
Sent: Monday, January 14, 2013 4:26 PM
To: Derek Rollins
Subject: RE: Transamerica Investment Group, Inc. v. Hamilton

My contact information is below.

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker

From: Derek Rollins [<mailto:DROLLINS@shacklaw.net>]
Sent: Monday, January 14, 2013 4:21 PM
To: rucker@wwrucker.com
Cc: Timothy Zeiger
Subject: Transamerica Investment Group, Inc. v. Hamilton

Bill,

Following up on our phone call today, this is my contact information. I look forward to working with you and appreciate your agreement to give my client two weeks to provide you with information responsive to your discovery requests. You will see, shortly, a motion to withdraw and substitute counsel that will be filed in this case. I will note your non-opposition to such motion and forward an agreed order for your review.

Thank you again,

Derek D. Rollins
Shackelford, Melton & McKinley, LLP
Partner - Litigation
3333 Lee Parkway
Tenth Floor
Dallas, Texas 75219
Telephone: (214) 780-1400
Facsimile: (214) 889-9725

Website: www.shacklaw.net
drollins@shacklaw.net

Please consider the environment before printing this email.

SHACKELFORD, MELTON & MCKINLEY E-MAIL NOTICES:

This transmission may be: (1) subject to the Attorney-Client Privilege, (2) attorney work product, or (3) strictly confidential. If you are not the intended recipient of this message, you may not disclose, print, copy or disseminate this information. If you have received this in error, please reply and notify the sender (only) and delete this message. Unauthorized interception of this e-mail is a violation of federal criminal law.

Unless it specifically so states, this communication does not reflect an intention by the sender or the sender's client or principal to conduct a transaction or make any agreement by electronic means. Unless it specifically so states, nothing contained in this message or in any attachment shall satisfy the requirements for a writing, and nothing contained herein shall constitute a contract or electronic signature under the Electronic Signatures in Global and National Commerce Act, any version of the Uniform Electronic Transactions Act or any other statute governing electronic transactions.

IRS Circular 230 Notice Requirement: This communication is not given in the form of a covered opinion, within the meaning of Circular 230 issued by the United States Secretary of the Treasury. Thus, we are required to inform you that you cannot rely upon any tax advice contained in this communication for the purpose of avoiding United States federal tax penalties. In addition, any tax advice contained in this communication may not be used to promote, market or recommend a transaction to another party.

William Rucker

From: William Rucker <rucker@wwrucker.com>
Sent: Tuesday, February 05, 2013 11:08 AM
To: 'DROLLINS@shacklaw.net'
Subject: TransAmerica v Hamilton

Good morning. As you may be aware, we have a discovery deadline coming up. Other than getting complete responses to outstanding discovery requests, I only need to take Mr. Hamilton's deposition. Please let me know if I need to file something to extend discovery or if we can work around the Court's cut off. Thanks.

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker

William Rucker

From: William Rucker <rucker@wwrucker.com>
Sent: Wednesday, February 06, 2013 8:46 AM
To: 'Derek Rollins'
Subject: RE: TransAmerica v Hamilton

I would propose that we address responses to the outstanding discovery. I can take a deposition within a week or two after receiving documents and responses.

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker

From: Derek Rollins [<mailto:DROLLINS@shacklaw.net>]
Sent: Tuesday, February 05, 2013 6:37 PM
To: William Rucker
Subject: Re: TransAmerica v Hamilton

You won't need to file anything. I would prefer just to agree to a schedule that works for you and I. You have been very accommodating, and I intend to extend you the same courtesy. Let me know your thoughts on a schedule, if you have one.

On Feb 5, 2013, at 11:05 AM, "William Rucker" <rucker@wwrucker.com> wrote:

Good morning. As you may be aware, we have a discovery deadline coming up. Other than getting complete responses to outstanding discovery requests, I only need to take Mr. Hamilton's deposition. Please let me know if I need to file something to extend discovery or if we can work around the Court's cut off. Thanks.

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker

William Rucker

From: William Rucker <rucker@wwrucker.com>
Sent: Friday, February 08, 2013 2:10 PM
To: 'Derek Rollins'
Subject: RE: TransAmerica v Hamilton

The first part of that week would be fine. I must stress, however, the need for responses to outstanding discovery.

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker

From: Derek Rollins [<mailto:DROLLINS@shacklaw.net>]
Sent: Friday, February 08, 2013 1:57 PM
To: William Rucker
Subject: RE: TransAmerica v Hamilton

Yes, it's been filed.

Also, I've discussed deposition scheduling with Mr. Hamilton. At this time, the first available time period that is generally available is the week of March 11th. That week is fairly open for me, too (Spring Break for kids). Let me know if there are any workable dates for you and your client then.

From: William Rucker [<mailto:rucker@wwrucker.com>]
Sent: Thursday, February 07, 2013 11:59 AM
To: Derek Rollins
Subject: TransAmerica v Hamilton

Have you filed the motion to substitute?

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker

William Rucker

From: William Rucker <rucker@wwrucker.com>
Sent: Friday, February 08, 2013 2:39 PM
To: 'Derek Rollins'
Subject: RE: TransAmerica v Hamilton

PB served 26 pages of documents with the initial disclosures.

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker

From: Derek Rollins [<mailto:DROLLINS@shacklaw.net>]
Sent: Friday, February 08, 2013 2:25 PM
To: William Rucker
Subject: RE: TransAmerica v Hamilton

I know you are demanding Hamilton's discovery responses be supplemented. I've been working on this very hard, and assure you that you will have all of it well in advance of any deposition.

Can I ask a question of you – Patton Boggs' file includes just over 500 pages of documents that it appears you sent to them. Is that right? I thought Patton Boggs never served any written discovery.

From: William Rucker [<mailto:rucker@wwrucker.com>]
Sent: Friday, February 08, 2013 2:10 PM
To: Derek Rollins
Subject: RE: TransAmerica v Hamilton

The first part of that week would be fine. I must stress, however, the need for responses to outstanding discovery.

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker

From: Derek Rollins [<mailto:DROLLINS@shacklaw.net>]
Sent: Friday, February 08, 2013 1:57 PM
To: William Rucker
Subject: RE: TransAmerica v Hamilton

Yes, it's been filed.

Also, I've discussed deposition scheduling with Mr. Hamilton. At this time, the first available time period that is generally available is the week of March 11th. That week is fairly open for me, too (Spring Break for kids). Let me know if there are any workable dates for you and your client then.

From: William Rucker [<mailto:rucker@wwrucker.com>]
Sent: Thursday, February 07, 2013 11:59 AM
To: Derek Rollins
Subject: TransAmerica v Hamilton

Have you filed the motion to substitute?

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker

William Rucker

From: William Rucker <rucker@wwrucker.com>
Sent: Saturday, February 09, 2013 1:25 PM
To: 'Derek Rollins'
Subject: RE: TransAmerica v Hamilton

We have not produced 520 pages. These are likely documents that PB was sitting on.

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker

From: Derek Rollins [<mailto:DROLLINS@shacklaw.net>]
Sent: Friday, February 08, 2013 3:44 PM
To: William Rucker
Subject: RE: TransAmerica v Hamilton

Yes, I found those. Thank you.

But I was wondering if Mr. Berry had produced these 520 pages. I couldn't tell if they are plaintiff's documents, or items that were isolated by Patton Boggs to produce to you.

From: William Rucker [<mailto:rucker@wwrucker.com>]
Sent: Friday, February 08, 2013 2:39 PM
To: Derek Rollins
Subject: RE: TransAmerica v Hamilton

PB served 26 pages of documents with the initial disclosures.

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker

From: Derek Rollins [<mailto:DROLLINS@shacklaw.net>]
Sent: Friday, February 08, 2013 2:25 PM
To: William Rucker
Subject: RE: TransAmerica v Hamilton

I know you are demanding Hamilton's discovery responses be supplemented. I've been working on this very hard, and assure you that you will have all of it well in advance of any deposition.

Can I ask a question of you – Patton Boggs' file includes just over 500 pages of documents that it appears you sent to them. Is that right? I thought Patton Boggs never served any written discovery.

From: William Rucker [<mailto:rucker@wwrucker.com>]
Sent: Friday, February 08, 2013 2:10 PM
To: Derek Rollins
Subject: RE: TransAmerica v Hamilton

The first part of that week would be fine. I must stress, however, the need for responses to outstanding discovery.

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker

From: Derek Rollins [<mailto:DROLLINS@shacklaw.net>]
Sent: Friday, February 08, 2013 1:57 PM
To: William Rucker
Subject: RE: TransAmerica v Hamilton

Yes, it's been filed.

Also, I've discussed deposition scheduling with Mr. Hamilton. At this time, the first available time period that is generally available is the week of March 11th. That week is fairly open for me, too (Spring Break for kids). Let me know if there are any workable dates for you and your client then.

From: William Rucker [<mailto:rucker@wwrucker.com>]
Sent: Thursday, February 07, 2013 11:59 AM
To: Derek Rollins
Subject: TransAmerica v Hamilton

Have you filed the motion to substitute?

William W Rucker
Attorney At Law
3355 West Alabama
Suite 825
Houston, Texas 77098
713-528-2800
713-824-0821 (mobile)
rucker@wwrucker.com
Skype: wwrucker